

# Declaration, Power of Attorney and Petition

Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## GENE ENCODING CYCLIC LIPOPEPTIDE ACYLASE AND EXPRESSION OF THE SAME

the specification of which

- is attached hereto.  
 was filed on January 2, 2002 as  
Application Serial No. 10/019,282  
and amended on \_\_\_\_\_  
 was filed as PCT international application  
Number PCT/JP00/04285  
on June 28, 2000,  
and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 1 19(a)-(d) or § 365(b,) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
<u>189644/1999</u>	<u>Japan</u>	<u>02/07/1999</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
PCT/JP00/04285	June 28, 2000	pending

And we (I) hereby appoint: Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavallee, Registration Number 31,451; Timothy R. Schwart, Registration Number 32,171; Stephen G. Baxter, Registration Number 32,884; Martin M. Zoltick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; Richard L. Chinn, Registration Number 34,305; Steven E. Lipman, Registration Number 30,011; Carl E. Schlier, Registration Number 34,426; James J. Kulbaski, Registration Number 34,648; Catherine B. Richardson, Registration Number 39,007; Richard A. Neifeld, Registration Number 35,299; J. Derek Mason, Registration Number 35,270; and Jacques M. Dulin, Registration Number 24,067; our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to the firm of OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C., whose Post Office Address is: Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Tide 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Takashi SHIBATA  
NAME OF FIRST JOINT INVENTOR

Residence: Tsukuba-shi, Ibaraki, Japan JPX

**Signature of Inventor**

Citizen of: Japan

January 7, 2002

**Post Office Address:** 1-20-11-308, Ninomiya, Tsukuba-shi,  
**Ibaraki 305-0051 Japan**

*Yuji NOGUCHI*

NAME OF SECOND JOINT INVENTOR

*Yuji Noguchi*

Signature of Inventor

January 8, 2002

Date

*Michio YAMASHITA*

NAME OF THIRD JOINT INVENTOR

*Michio Yamashita*

Signature of Inventor

January 7, 2002

Date

Residence: Ama-gun, Aichi, Japan *JPX*

Citizen of: Japan

Post Office Address: 31-1, Aza-Gotanda,

Oaza-Shimokayatsu, Jimokuji-cho, Ama-gun, Aichi

490-1114 Japan

Residence: Tsukuba-shi, Ibaraki, Japan *JPX*

Citizen of: Japan

Post Office Address: 3-11-11, Namiki, Tsukuba-shi,

Ibaraki 305-0044 Japan